

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Valeriy Kostraba,

Petitioner,

v.

ORDER

Civil No. 10-374(MJD/JJG)

State of Minnesota,

Respondent.

The above-entitled matter comes before the Court upon Petitioner's objection to the Report and Recommendation of United States Magistrate Judge Jeanne J. Graham dated February 16, 2010.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based on that review the Court will adopt the Report and Recommendation dated February 16, 2010.

IT IS HEREBY ORDERED that:

1. Petitioner's Petition for Habeas Corpus Relief [Doc. No. 1] is
DENIED;
2. Petitioner's Application for leave to Proceed in forma pauperis
[Doc. No. 2] is DENIED;

3. This action is dismissed without prejudice.

Date: April 14, 2010

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court

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